

110TH CONGRESS  
1ST SESSION

# H. R. 2622

To amend title I of the Employee Retirement Income Security Act of 1974 to require de novo review of claims determinations made by employee benefit plans.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2007

Mrs. MCCARTHY of New York introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend title I of the Employee Retirement Income Security Act of 1974 to require de novo review of claims determinations made by employee benefit plans.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equality for Workers  
5 under ERISA Act of 2007”.

6 **SEC. 2. DE NOVO REVIEW OF CLAIMS DETERMINATIONS BY**  
7 **EMPLOYEE BENEFIT PLANS.**

8 (a) IN GENERAL.—Section 502(e) of the Employee  
9 Retirement Income Security Act of 1974 (29 U.S.C.

1 1132(e)) is amended by adding at the end the following  
2 new paragraph:

3 “(3) Any action commenced under subsection  
4 (a)(1)(B) shall be adjudicated as a de novo proceeding  
5 without deference to any claim determination made prior  
6 to the commencement of such action.”.

7 (b) EFFECTIVE DATE.—The amendment made by  
8 subsection (a) shall apply with respect to claim determina-  
9 tions made by plans on or after the date of the enactment  
10 of this Act.

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